

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

IN RE: BEXTRA AND CELEBREX
MARKETING AND SALES PRACTICES
AND PRODUCT LIABILITY LITIGATION

CASE NO.: 3:07-cv-02536

MDL Docket No. 1699

Judge Charles R. Breyer

This document relates to:

David Garner,

Plaintiff,

vs.

PFIZER, INC., et al.,

Defendants.

**STIPULATION AND ORDER
OF DISMISSAL WITH
PREJUDICE ONLY AS TO
CASE NO. 3:07-cv-02536**

IT IS HEREBY STIPULATED AND AGREED by and between counsels for the Plaintiff and counsel for the Defendants that the Complaint of Plaintiff David Garner, Individually (in the action styled as David Garner v. Pfizer, Inc., et al.) is hereby dismissed with prejudice.

1. Plaintiff is David Garner, Individually; Defendants are G.D. Searle, LLC; Pharmacia Corporation, Monsanto Company, Walgreen Co., d/b/a Walgreens and Pfizer, Inc.;

2. On September 27, 2006, Plaintiff sued Defendants;

3. Plaintiff moves to dismiss his claims against Defendants;

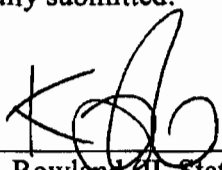
4. This case is not a class action;

5. A receiver has not been appointed in this action;

6. Plaintiff has not dismissed an action based on or including the same claims as those present in this suit.

Respectfully submitted:

Dated: 7/14/09

By: 
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Dated: July 15, 2009

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Defendants' Liaison Counsel

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: JUL 23 2009


HONORABLE CHARLES R. BREYER
United States District Court